

UNITED STATES DISTRICT COURT

for the
District of South Carolina

J. Todd Kincannon,

Plaintiff

v.

Civil Action No. 3:18-cv-00945-MGL

Eric Kirkland, in his individual capacity; Nicole Howland, in her individual capacity; John Does #1-#10, all other Lexington County Sheriff's Department employees and other state actors who engage in or are otherwise liable for conduct actionable under federal civil rights statutes with respect to the events of April 6-7, 2015 involving the procurement; The State of South Carolina, a state sovereign liable for the actionable conduct described herein to the extent sovereign immunity is unasserted or unavailable; Lexington County, a body politic and corporate organized and existing under the laws of the State of South Carolina, liable for certain actionable conduct described herein under *Monell v. DSS*, 436 U.S. 658 (1978) and other federal and state laws,

Defendants

JUDGMENT IN A CIVIL ACTION

The court has ordered that (*check one*):

☐ the plaintiff (*name*) _____ recover from the defendant (*name*) _____ the amount of _____ dollars (\$___), which includes prejudgment interest at the rate of ____ %, plus postjudgment interest at the rate of ____ %, along with costs.

☐ the plaintiff recover nothing, the action be dismissed on the merits, and the defendant (*name*) _____ recover costs from the plaintiff (*name*) _____.

☒ other: the plaintiff, J. Todd Kincannon, shall take nothing of the defendants, Eric Kirkland, Nicole Howland, John Does #1-#10,, The State of South Carolina, Lexington County, and this action is dismissed without prejudice for failure to prosecute pursuant to Rule 41(b).

This action was (*check one*):

☐ tried by a jury, the Honorable _____ presiding, and the jury has rendered a verdict.

☐ tried by the Honorable _____ presiding, without a jury and the above decision was reached.

☒ decided by the Mary Geiger Lewis, United States District Judge, adopting the Report and Recommendation set forth by the Honorable Shiva V. Hodges, United States Magistrate Judge, which recommended the dismissal of this action without prejudice.

Date: June 26, 2018

ROBIN L. BLUME, CLERK OF COURT

s/M. Walker

Signature of Clerk or Deputy Clerk